

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

BARBARA JOHNSON, *et al.*

Plaintiffs,

v.

GOVERNOR MICHAEL L. PARSON., *et al.*,

Defendants.

No. 4:24-cv-00174-BP

STATE DEFENDANTS' MOTION TO DISMISS

Defendants Governor Michael L. Parson; Attorney General Andrew Bailey; and Secretary of State Jay Ashcroft respectfully move to dismiss Plaintiff's first amended complaint. F.R.C.P. 12(b)(1), (6), (h)(3). In support, Defendants state the following:

1. On May 6, 2024, Plaintiffs filed their first amended complaint with this Court. (Doc. 11).
2. Defendants move this Court to dismiss Plaintiffs' first amended complaint.
3. This Court lacks subject-matter jurisdiction because Plaintiffs failed to allege sufficient facts to establish standing. F.R.C.P. 12(b)(1), (h)(3).
4. Plaintiffs also failed to allege sufficient facts to state a claim upon which relief can be granted. *Id.* 12(b)(6).
5. Defendants submit suggestions contemporaneously with and in support of this motion. L.R. 7.0(a), (c)(1).
6. Defendants request oral argument. *Id.* 7.0(e).

Dated: May 20, 2024

Respectfully submitted,

ANDREW BAILEY
Attorney General

/s/ Caleb Rutledge
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Counsel for State Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on May 20, 2024, the foregoing was filed electronically through the Court's electronic filing system to be served electronically on all counsel of record.

/s/ Caleb Rutledge